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NORTHERN DISTRICT OF CALIFORNIA

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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

No. CR 3-05-70327-EDL

Plaintiff,

~~[PROPOSED]~~ ORDER EXCLUDING
TIME UNDER THE SPEEDY TRIAL ACT

v.

THOMAS KEITH CASEBEER,

Defendant.

This matter came on the calendar of the Honorable Nandor J. Vadas on June 29, 2005 for status. The Court continued the matter until July 20, 2005 at 9:30 a.m. for further status and to set a removal hearing.

The parties requested an exclusion of time under the Speedy Trial Act from June 29 through July 20, 2005 on two bases. First, counsel for the defendant, Edward Swanson, Esq., will need time to review discovery which has not yet been provided from the District of Guam. Second, time is excludable based upon delay resulting from the transfer of a case or the removal of a defendant from another district. See 18 U.S.C. § 3161(h)(1)(G). The parties agree that the

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time from June 29 through July 20, 2005 should be excluded in computing the time within which trial shall commence.

Accordingly, the Court HEREBY ORDERS that the time from June 29 through July 20, 2005 is excluded under the Speedy Trial Act as delay resulting from the transfer of a case or the removal of a defendant from another district. See 18 U.S.C. § 3161(h)(1)(G). Additionally, the Court HEREBY ORDERS that the time from June 29 through July 20, 2005 is excluded under the Speedy Trial Act, 18 U.S.C. § 3161. The Court finds that the failure to grant the requested exclusion would deny the defendant reasonable time necessary for effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The Court finds that the ends of justice served by granting the requested exclusion outweigh the best interest of the public and the defendant in a speedy trial and in the prompt disposition of criminal cases. See 18 U.S.C. § 3161(h)(8)(A). The Court therefore concludes that this exclusion of time should be made under 18 U.S.C. § 3161(h)(8)(A).

SO ORDERED.

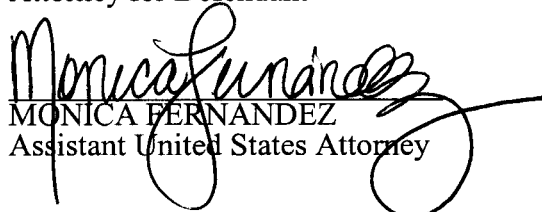
DATED: 6-30-05


HONORABLE NARDOR J. VADAS
UNITED STATES DISTRICT JUDGE

MARIA-ELENA JAMES

Approved as to form:


EDWARD SWANSON
Attorney for Defendant


MONICA FERNANDEZ
Assistant United States Attorney